

JOURNAL OF THE HOUSE.

Thursday, April 12, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, in Whom we place our trust and hope, we focus our attention on You at the beginning of today's legislative session. Your assistance enables us to organize our thoughts, agenda and priorities for the day. This weekend, we will be celebrating Patriot's Day. The occasion helps us to recall the personal sacrifices and extraordinary courage of many women and men within our borders. Teach us to remember and respect the great accomplishments of those patriots who have gone before us. Inspire us to continue to build a society and communities which are peaceful, civil and respectful. May we also appreciate the freedoms which we enjoy as citizens of this Commonwealth.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Appointments to a Special Commission.

The Speaker announced the appointment of Representatives Honan of Boston, Khan of Newton, Puppolo of Springfield and Rushing of Boston to the special commission established (pursuant to Chapter 2 of the Resolves of 2006) for the purpose of devising a statewide strategy to end homelessness in the Commonwealth.

Homelessness.

Communication from the State of Alaska.

A communication from Suzi Lowell, Chief Clerk of the House of Representatives of the State of Alaska, transmitting Alaska House Resolution No. 6, encouraging all states to oppose the decision of the United States Fish and Wildlife Service to list the polar bear as a threatened species, was placed on file.

Alaska,
polar bears.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Fagan of Taunton) congratulating Nola Cummings on the occasion of her retirement from the Bristol County Mosquito Control Project;

Nola
Cummings.

Resolutions (filed by Mr. Fagan of Taunton) congratulating Leonard and Deva Mills on the occasion of their fiftieth wedding anniversary;

Leonard
and Deva
Mills.

Robert J.
Stearns.

Resolutions (filed by Mr. Flynn of Bridgewater) recognizing Robert J. "Bob" Stearns for his many years of service to Bridgewater Little League;

Keith A.
Bergman.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Keith A. Bergman on the occasion of his retirement;

Nicholas
Kendrick.

Resolutions (filed by Ms. Peake of Provincetown) congratulating Nicholas Kendrick on receiving the Eagle Award of the Boy Scouts of America;

Evelyn
Lawler.

Resolutions (filed by Mr. Spellane of Worcester) commending Evelyn Lawler for her distinguished public service;

David
Ratz.

Resolutions (filed by Ms. Story of Amherst) congratulating and honoring David Portiz for receiving the prestigious Prudential Spirit of Community Award;

Dennis
and Ann
Gaine.

Resolutions (filed by Mr. Walsh of Boston) congratulating Dennis and Ann Gaine on the occasion of their fiftieth wedding anniversary; and

Jay
Greene.

Resolutions (filed by Mr. Walsh of Boston) congratulating Detective Jay Greene of the Boston Police Department on the occasion of his retirement;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. deMacedo of Plymouth, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Reports of Committees.

By Mr. Petruccelli of Boston, for the committee on Community Development and Small Business, asking to be discharged from further consideration

Pet shops,
inspectors.

Of the petition (accompanied by bill, House, No. 150) of Jennifer M. Callahan for legislation establishing a division of pet shop inspectors,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture;

Immigration.

Of the petition (accompanied by bill, House, No. 149) of Garrett J. Bradley relative to illegal immigration,— and recommending that the same be referred to the committee on Labor and Workforce Development;

By Mrs. Haddad of Somerset, for the committee on Education, asking to be discharged from further consideration

Safe drivers,
insurance.

Of the petition (accompanied by bill, House, No. 389) of Bruce J. Ayers that insurance companies be authorized to extend rebates to clients with safe driving records;

Automobile
surcharges.

Of the petition (accompanied by bill, House, No. 461) of Bradley H. Jones, Jr., and others that operators of motor vehicles without a proper inspection sticker shall not be assessed insurance surcharges; and

Breast cancer
detection,
MRI s.

Of the petition (accompanied by bill, House, No. 545) of Tom Sannicandro and others for legislation to provide insurance coverage for magnetic resonance imaging for certain persons for the detection of breast cancer;

And recommending that the same severally be referred to the committee on Financial Services;

Of the petition (accompanied by bill, Senate, No. 281) of Robert A. Antonioni, Edward M. Augustus, Jr., Jennifer L. Flanagan, Michael R. Knapik, and other members of the General Court for legislation relative to intensive in-home services for children with autism spectrum disorder; and

Autism
Spectrum
Disorder,
services.

Of the petition (accompanied by bill, House, No. 493) of Barbara A. L'Italien and others relative to the children's autism Medicaid waiver;

Autism,
Medicaid.

And recommending that the same severally be referred to the committee on Health Care Financing;

By Mr. Correia of Fall River, for the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 617) of John A. Lepper and others for an investigation by a special commission (including members of the General Court) on the status of grandparents raising grandchildren,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities;

Grandparents.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 803) of Brooke Loughlin and others relative to providing for a lead paint abatement program for family day care homes,— and recommending that the same be referred to the committee on Financial Services;

Day care,
lead paint.

Of the petition (accompanied by bill, House, No. 832) of Douglas W. Petersen and others for legislation to preserve MassHealth coverage for disabled persons,— and recommending that the same be referred to the committee on Health Care Financing;

Disabled
persons,
MassHealth
coverage.

Of the petition (accompanied by bill, House, No. 808) of J. James Marzilli, Jr., and Steven J. D'Amico for legislation to limit outdoor night lighting, conserve energy and reduce light pollution,— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy;

Outdoor
night
lighting.

By Mr. Mariano of Quincy, for the committee on Financial Services, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 929) of Paul C. Casey for legislation to regulate surcharge fees on the resale of the price of tickets,— and recommending that the same be referred to the committee on Consumer Protection and Professional Licensure;

Ticket
resale,
surcharges.

Of the petition (accompanied by bill, House, No. 927) of Paul C. Casey relative to the establishment of regional lock-up facilities; and

Regional
lock-up
facilities.

Of the petition (accompanied by bill, House, No. 972) of Bradford Hill relative to the punishment of habitual offenders convicted in the courts of the Commonwealth;

Offenders,
punishment.

And recommending that the same severally be referred to the committee on the Judiciary;

Of the petition (accompanied by bill, House, No. 1069) of Michael J. Rodrigues, and Matthew C. Patrick relative to professional liability insurance,— and recommending that the same be referred to the committee on Labor and Workforce Development;

Professional
liability
insurance.

Of the petition (accompanied by bill, House, No. 937) of James B. Eldridge and others relative to the disclosure of certain information by the Disabled Persons Protection Commission,— and recommending that the same be referred to the committee on Public Health;

Disabled
Commission,
disclosures.

Buildings,
energy
rating.

Of the petition (accompanied by bill, House, No. 3784) of Vincent A. Pedone for legislation to require that certain residential buildings be in compliance with energy rating regulations,— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy;

Hybrid
vehicles.

Of the petition (accompanied by bill, House, No. 928) of Paul C. Casey relative to the operation of hybrid vehicles on certain highways of the Commonwealth,— and recommending that the same be referred to the committee on Transportation;

By Mr. Torrisi of North Andover, for the committee on Labor and Workforce Development, asking to be discharged from further consideration

Safe driver,
insurance.

Of the petition (accompanied by bill, House, No. 1802) of Thomas P. Kennedy relative to the safe driver insurance plan,— and recommending that the same be referred to the committee on Financial Services;

Campus
police.

Of the petition (accompanied by bill, House, No. 1790) of Paul K. Frost that campus police officers of state and community colleges be placed in group 2 of the contributory retirement system for public employees,— and recommending that the same be referred to the committee on Public Service;

Municipal
buildings.

Of the petition (accompanied by bill, House, No. 1781) of Thomas J. Calter relative to energy efficiency in municipal buildings,— and recommending that the same be referred to the committee on Telecommunications, Utilities and Energy;

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration

Education,
state aid.

Of the joint petition (accompanied by bill, House, No. 1944) of Geoffrey D. Hall and others relative to the distribution of state aid for public education and regulating the requirements for spending by local governments,— and recommending that the same be referred to the committee on Education;

Domestic
violence,
trust fund.

Of the petition (accompanied by bill, House, No. 1978) of Matthew C. Patrick and others for legislation to establish a trust fund administered by the Department of Public Health for the prevention of domestic violence and sexual assault,— and recommending that the same be referred to the committee on Public Health;

Renewable
power.

Of the petition (accompanied by order, House, No. 1979) of Vincent A. Pedone relative to clarifying the minimum threshold for the purchase of existing renewable power for the purposes of the renewable portfolio standard regulation; and

Renewable
power.

Of the petition (accompanied by order, House, No. 1980) of Vincent A. Pedone relative to clarifying the minimum threshold for the purchase of existing renewable power for the purposes of the renewable portfolio standard regulation;

And recommending that the same severally be referred to the committee on Telecommunications, Utilities and Energy;

By Mr. Costello of Newburyport, for the committee on Public Safety and Homeland Security, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2351) of J. James Marzilli, Jr., for legislation to further regulate the community preservation law concerning “smart growth” planning in cities and towns,— and recommending that the same be referred to the committee on Community Development and Small Business;

Cities
and towns,
growth
planning.

Of the joint petition (accompanied by bill, House, No. 2322) of Geoffrey D. Hall and Steven C. Panagiotakos for legislation to provide real property tax relief for certain senior citizens in the town of Westford,— and recommending that the same be referred to the committee on Revenue;

Westford,
property
tax.

By Mr. Wagner of Chicopee, for the committee on Transportation, asking to be discharged from further consideration

Of the joint petition (accompanied by bill, House, No. 3466) of Paul J. Donato and Karen E. Spilka for legislation to provide community-based crisis intervention services for children and families requiring assistance,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities;

Transitional
assistance.

Of the petition (accompanied by resolve, House, No. 3606) of Angelo J. Puppolo, Jr., and others for an investigation by a special commission (including members of the General Court) relative to the costs for reimbursement to cities and towns for state-mandated busing,— and recommending that the same be referred to the committee on Education;

School
busing,
costs.

Of the petition (accompanied by bill, House, No. 3617) of Michael J. Rodrigues and others that the Department of Conservation and Recreation be authorized to establish a trails maintenance program for recreational vehicles,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture;

Recreational
vehicles,
trails.

Of the petition (accompanied by bill, House, No. 3523) of Bradley H. Jones, Jr., and others for legislation to provide for reductions in motor vehicle insurance charges for certain public transit users,— and recommending that the same be referred to the committee on Financial Services;

Public transit,
motor vehicle
insurance.

Of the petition (accompanied by bill, House, No. 3440) of Garrett J. Bradley relative to breathalyzer test certificates;

Breathalyzer
tests.

Of the petition (accompanied by bill, House, No. 3601) of Karyn E. Polito and others for legislation to require valid photographic identification issued by the Registry of Motor Vehicles as proof of identification for marriage; and

Marriage,
identification.

Of the petition (accompanied by bill, House, No. 3667) of Cleon H. Turner and others relative to notification of admissibility of breathalyzer evidence in drunk driving cases;

Drunk
driving,
breathalyzer
evidence.

And recommending that the same severally be referred to the committee on the Judiciary;

Of the petition (accompanied by bill, House, No. 3460) of Brian S. Dempsey and Bradley H. Jones, Jr. relative to workers' compensation for present and former employees of the Massachusetts Bay Transportation Authority,— and recommending that the same be referred to the committee on Labor and Workforce Development;

MBTA,
worker's
compensation.

Of the petition (accompanied by bill, House, No. 3534) of Thomas P. Kennedy and Kay Khan for legislation to further define adverse determinations by health insurers,— and recommending that the same be referred to the committee on Mental Health and Substance Abuse;

Insurers,
adverse
determinations.

Private
roads and
beaches.

School
buses,
seat belts.

Motor
vehicles,
safety belts.

Sudan
business,
investments.

A. John
Crisafulli,
retirement.

Motor
vehicle
excise.

Veterans,
recreational
facilities.

General
Appropriation
Bill.

Of the petition (accompanied by bill, House, No. 3664) of Cleon H. Turner and Christine E. Canavan relative to the maintenance of private roads, beaches and amenities,— and recommending that the same be referred to the committee on Municipalities and Regional Government;

Of the petition (accompanied by bill, House, No. 3439) of Garrett J. Bradley and Michaela Brickley for legislation to require the installation and use of safety belts on school buses; and

Of the petition (accompanied by bill, House, No. 3478) of Michael E. Festa and others relative to establishing a primary enforcement motor vehicle seat belt law;

And recommending that the same severally be referred to the committee on Public Safety and Homeland Security;

Of the petition (accompanied by resolve, House, No. 3533) of Jay R. Kaufman and others relative to prohibiting the investment of certain public funds in companies doing business in Sudan; and

Of the petition (accompanied by bill, House, No. 3564) of David Paul Linsky and others for legislation to grant certain creditable services in the teacher's retirement system to A. John Crisafulli of the town of Natick;

And recommending that the same severally be referred to the committee on Public Service;

Of the petition (accompanied by bill, House, No. 3444) of Jennifer M. Callahan and others relative to motor vehicle excise upon cancellation of registration,— and recommending that the same be referred to the committee on Revenue; and

Of the petition (accompanied by bill, House, No. 3619) of Richard J. Ross and others for legislation to exempt veterans from the payment of fees for use of recreational facilities under the jurisdiction of the Department of Conservation and Recreation,— and recommending that the same be referred to the committee on Veterans and Federal Affairs.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, on House No. 1, reported, in part, a Bill making appropriations for the fiscal year 2008 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4000) [Direct Appropriations: \$25,327,025,078.00 — Retained Revenue: \$450,919,816.00 — Lottery Distribution: \$935,028,283.00 — Total: \$26,712,973,177.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under the provisions of House order, No. 3999, it was placed in the Orders of the Day for Monday, April 23, 2007, for a second reading.

Engrossed Bill.

The engrossed Bill relative to the Swansea Water District (see House, No. 2031, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recesses.

At a quarter after eleven o'clock A.M., on motion of Ms. Peake of Provincetown (Mr. Donato of Medford being in the Chair), the House recessed until a quarter after twelve o'clock noon; and at twenty-five minutes before one o'clock P.M.; the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. deMacedo of Plymouth, until half past one o'clock; and at six minutes before two o'clock the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill providing the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 3966) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 3977). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Bonds,
terms.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. DeLeo, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 3977) was ordered to a third reading.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Tuesday next at eleven o'clock A.M.

Next
sitting.

At five minutes before two o'clock P.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Tuesday next at eleven o'clock A.M., in an Informal Session.